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DEPT. OF TRANSPORTATION
DOCKET

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September 4, 2003

Docket Management System
U.S. Department of Transportation
Room Plaza 401
400 Seventh Street SW
Washington DC 20591

RE: Comments to Docket Number (FAA-2003-15085) - 39

Please find attached comments for Docket Number (FAA-2003-15085). -

Please feel free to contact me with any questions.

Regards,

A handwritten signature in black ink, appearing to read 'Rick Blenkush'.

Rick Blenkush
NWA Manager Corporate Dangerous Goods and Safety
612-727-8937



NWA Comments to NPRM: HAZMAT Training

Northwest Airlines, Inc. (NWA) appreciates the opportunity to provide comment to the Federal Aviation Administration regarding the Notice of Proposed Rule Making "Hazardous Material Training Requirements" [docket No. FAA-2003-15085; Notice No. 03-08]

It is understood by NWA that the NPRM for Hazardous Material Training Requirements would require a substantial revision to the current training program within an airline for HAZMAT. This not only impacts NWA with increased financial burden, but also impacts operational energy, requiring unnecessary training for certain operational groups. This additional burden must be considered in the context of how it will improve safety.

Undeclared Shipments

NWA feels the NPRM fails to address the greatest source of undeclared shipments, the non-educated shipper of the hazardous material. NWA feels a government campaign on all modes of shipping would have the highest potential to stop a large amount of undeclared shipments at the source. This campaign should include both educational programs to shippers, as well as investigations of non-compliant shippers.

The proposal has some confusing sections that require some clarification.

- What are the "signs" mentioned at section 121.135(b)(23)(ii) that would identify an undeclared?
- Will the NPRM provide a list of "trigger terms" as discussed in numerous industry correspondence and discussions with the DOT and the FAA in the past?
- We note that 121.135(b)(23) does not adequately reference the fact that the airlines are the accepting agent and the shipper is the offer.
- The phrase "may contain" dangerous goods listed in 121.802(a)(3) causes some concern. It would be very difficult, if not impossible, to train a person to recognize items that contain or may contain hazardous materials. A hazardous material "may be contained" in any kind of container, shipping box, suitcase, backpack, etc.

Training

If the new training rules were interpreted to their fullest extent, a very large percentage of NWA employees would need to receive all 13 modules of training, thereby certifying them as acceptance agents. This non-job specific training could actually be detrimental to the goal of safer aircraft and shipments. Currently any employee that will or may have contact with a HAZMAT material receives FAA approved training tailored to their job or "job specific" training. This training may be 4 hours in length or 40 hours depending on the job function. Training all employees to all 13 modules will dilute the training the employee truly needs to perform their job duty. They will receive training that they would never use during the course of their job and may possibly not retain the knowledge to perform their duties at the safest level. A more focused training program would resolve these concerns.

An example: A pilot is now taught general overview, COMAT, safety, reporting, NOTOC and emergency response. These are the functions the pilot will be performing to ensure the HAZMAT shipment is carried at the highest level of safety. He is taught these in the appropriate amount of time and concentrates only on what he is required to know. Teaching a pilot to classify, mark and label and other duties he will not perform, would only add time to their training, not increase safety and the more significant training objectives he would need to perform his duty, would be compromised in the process.

NWA requests an explanation of "interactive session with an instructor". We currently utilize computer based training (CBT) for HAZMAT recurrent training for our Customer Service Agents and Equipment Service Employees and have plans for "remote training" for our Cockpit Crews.

Our long term plans include further development of CBT for HAZMAT in other departments, where appropriate.

Alternate Solution for Training

NWA acknowledges the need to assure a safe airline in reference to the transportation of hazardous materials, but questions the value added to either the safety of the traveling public, employees, or aircraft by the proposed NPRM as it is currently written. NWA offers changes to the proposal that would provide a more focused addition to the current regulations that would provide safety enhancements to the transportation of hazardous materials without adding requirements that would prove too burdensome and unnecessary.

NWA proposes the following replacement for the proposed Table 1 for "will Carry Airlines"

Table 1.--Hazardous Materials Training Curriculum for Certificate Holders That Transport Hemet

Module	Area of training	Category Of Personnel			
		1	2	3	4
1*	General Overview	X	X	X	X
2	Hidden Dangerous Goods.	X	X	X	X
3	Company Materials (COMAT)	X		X	
4	Documentation	X			
5A	Acceptance	X			
5B	Handling	X		X	
6A	Marking	X			
6B	Labeling	X		X	
7	Classification	X			
8	Identification	X			
9	Packaging	X			
10	Notice to Pilot-In Command	X		X	
11	Safety & Reporting	X	X	X	X
12	Passenger/ Air Carrier Exceptions/U.S. Mail	X	X	X	
13	Certificate holder policies Procedures	X	X	X	X

* Module 1: General Overview will include the classes of dangerous goods and the required labels for declared Dangerous Goods. This will assure each employee who comes in contact with cargo or luggage has the training to identify dangerous goods.

KEY:

1--Persons who **accept** Dangerous Goods as cargo, or involved in **shipping** of aircraft parts, supplies or company material. (These are our gatekeepers and are the only personnel who require training on Acceptance, Packaging, Documentation, Identification & Marking.)

2--Persons working in supply, storage, or warehouse facilities, or persons engaged with passengers, baggage or passenger baggage check-in services (e.g., skycaps, ticket counter agents, flight attendants, etc).

3--Persons responsible for cargo during flight or who handle, store, and load or unload packages, passenger baggage or cargo. (including Flight crewmembers, dispatchers, cargo and baggage loaders).

4-- Persons who interface with, passengers, luggage or cargo & do not perform any responsibility listed above.

Record keeping

NWA currently utilizes an electronic training record keeping system. The NPRM requires several manual record keeping requirements such as signatures of attendees, trainer and Director and maintaining records at the location the employee is stationed. This would require further paperwork and decentralizing of records in an era when companies and the government are moving towards paperless systems and centralized record keeping systems. The need for signatures as well as certificates at the actual work area could be very difficult to track as an employee moves job locations. NWA believes this rule should be modified to allow the use of an electronic system without additional manual records.

Part 145 Repair Stations

NWA questions the need for the certificate holder to train repair station employees as referenced in 121.803(a). This training could easily double or triple the amount of training NWA would be required to administer. We suggest the repair station be required to train their employees. The certificate holder would verify this training and the curriculum during its yearly audits. These audit records would be maintained at NWA and would serve as the records for the repair station.

Expecting repair station employees to be trained in all of the certificate holder's approved training programs could be monumental. Most repair stations have contracts with many airlines to perform services or repairs. Having to become fully trained and remain current in every carrier's HAZMAT program as referenced in 145.5 (b), would take an unreasonable amount of time for both the repair station and the carrier.

Other Suggestions:

NWA suggests the FAA require a registration program for shippers. Documentation and packaging would require the registration number. NWA is moving towards the "approved shipper" program for all of its commercial HAZMAT shipments.

NWA encourages the FAA to work towards a program that would provide immunity for certificate holders when reporting HAZMAT violations. This has been a suggestion in the airline industry for many years and would help with HAZMAT safety by moving the shipping issues back to the original shipper. The flight operations area currently has pilot protective provisions for reporting flight related violations.

NWA would like to see the TSA held accountable for search, discovery and reporting of hazardous materials. The TSA has the best equipment and staffing to protect and inform the flying public. A system must be developed to have the TSA work directly with the FAA on HAZMAT discrepancies found in passenger baggage.

Cost Analysis

NWA does find some exception to the cost estimate proposed by the NPRM. Below is the cost breakout by operational department at NWA. It does not include cost of developing the new program for many operational areas, costs associated with centralized training or overtime/new hires needed to cover those out of the operation for training. These costs will vary with the depth of the final ruling.

Costs are for 10 years by operational department. A detailed break out of these costs is available if required.

Flight Ops: \$27.9 million
In-Flight: \$ 32.1 million
Ground Ops: \$ 26.5 million
Tech Ops: \$20.4 million

Total: \$106.9 million
2003 Net Present Value at a discounted rate of 7%: \$90.3 million

These numbers were calculated by estimating the total cost of a new program, initial and re-current training. Current costs of re-current were subtracted from new costs of re-current for years two through ten. These figures represent the total people to be trained multiplied by the burden rate for each employee group multiplied by the total hours of training.

Conclusion

NWA would strongly recommend a re-write of the NPRM addressing the concerns listed above. While we are very much in favor of awareness training for our employees that may perform TRF functions, the NPRM training standards are far broader than necessary to address the main cause for this NPRM. Safety problems due to hazardous materials shipments and non-compliant shippers, outside the control of NWA, will not be materially changed by this NPRM.

NWA would also recommend a public meeting be held by the FAA for comments and further clarification of the NPRM. This version of the NPRM fails to meet the goals it was written for, the safety of the general flying public. It will be financially detrimental to the air carriers, possibly restricting air travel further and will not further safety.